

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-27 are pending in the present application. Claims 1, 3, 9, 14, 21 and 22 have been amended by the present amendment.

In the outstanding Office Action, Figure 1 was objected to; claims 1, 2, 8, 22 and 23 were rejected under 35 U.S.C. § 102(b) as anticipated by Key et al; claims 7, 24 and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Key et al in view of Earnest; claims 3-6, 9-11, 26 and 27 were indicated as allowable if rewritten in independent form; and claims 12-21 were allowed.

Applicants thank the examiner for the indication allowable subject matter. In light of this indication, dependent claims 3 and 9 have been rewritten in independent form.

Further, Figure 1 has been amended to include the label "Prior Art" as requested in the Office Action. Accordingly, it is respectfully requested the objection to the drawings be withdrawn.

Claims 1, 2, 8, 22 and 23 stand rejected under 35 U.S.C. § 102(b) as anticipated by Key et al. This rejection is respectfully traversed.

Independent claim 1 has been amended to clarify that the at least one pulse generated from the received data corresponds to a transition from a '0' bit to a '1' bit or from a '1' bit

to a '0' bit in the received data, and each pulse width corresponds to a gap between the at least one pulse and a next generated pulse. Independent claim 22 includes similar features in a varying scope.

These features are discussed in the non-limiting example in paragraphs [25] and [40], for example. On the contrary, Key et al. is directed to sampling an incoming serial data stream at twice the highest baud rate and then storing the samples in a memory until a plurality of samples are accumulated. Then, the sample clock is divided in half and the odd number samples are compared to the known auto baud characters. An autobaud character generally is a first character of a stream and is used to determine the baud rate of serial data. In Key et al., only the high order seven bits are compared so the eighth bit is treated as a default start bit. If a match occurs, then the sample clock is assumed to be correctly synchronized with the incoming serial data stream (see column 2, lines 5-15, for example). See also Figure 2 and the corresponding description in column 3. However, Key et al. does not teach or suggest generating the at least one pulse nor calculating the first number of sampling for each pulse width or claimed by the present invention

Accordingly, it is respectfully submitted independent claims 1 and 22 and each of the claims depending therefrom are also allowable. Further, new claims 28-34 are allowable since the cited art does not disclose or teach the features and the combination thereof.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

Daniel Y.J. Kim, Esq.
Registration No. 36,186

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK:tlglew
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Please direct all correspondence to Customer Number 34610